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FOLEY AND LARDNER
3000 K Street NW
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Washington, DC 20007

EXAMINER

RUDOLPH, VINCENT M

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 09/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/026,721	Applicant(s) OKAJIMA, AIKO	
	Examiner Vincent M. Rudolph	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2006.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,7,13 and 19-27 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1,7,13 and 19-27 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 22 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 7, 13 and 19-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ban ('170) in view of Motamed ('300) and Kadota ('760).

Regarding claim 1, Ban ('170) discloses an image forming device (Network printer, See Figure 1, Element 1) that includes a receiving module (a NIC card, See Figure 2, Element 16) to receive the print jobs from the outside (network, See Figure 1, Element 50, which transfers it to the receiving buffer, See Col. 3, Line 53-55). It also includes a storing module, or an image memory (See Figure 2, Element 120, which is located within the controller, See Figure 2, Element 11) to store print jobs received by the receiving module (it receives the print data sent from the NIC card, See Col. 3, Line 40-41), and a printing module (print engine, See Figure 2, Element 12) to implement the print jobs stored in the storing module (the print data is sent from the controller to it, See Figure 2). Ban ('170) also discloses when the controlling module (controller, See Figure 2, Element 11) receives a print job, it determines if it is either an ordinary job or special print job, which is a manual feed job according to Ban ('170), and registers it in the designated area (See Col. 4, Line 56-61). The controller also has a CPU (See Figure 2, Element 110) to control the printing order of the print jobs by the schedule management

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file (See Figure 2, Element 130; Col. 3, Line 41-44). A displaying module (LCD display that is incorporated into the operational panel, See Figure 2, Element 31) is used to display information that includes a list of print jobs including the special print jobs (since the special print jobs hold a higher priority over the regular print jobs, they are displayed on the LCD so the user can complete the printing process there, See Figure 4; Col. 4, Line 7-11, even though the printer stores the ordinary print jobs in a print queue also, See Figure 3) after the controlling module (controller, See Figure 2, Element 11) determines what kind of print job it is (it determines if it is an ordinary job or not, See Col. 3, Line 53-58). An inputting module (operational panel, See Figure 2, Element 13) is used to accept various sorts of operation inputs entered by the user, which includes selections that the user desires to implement for the information displayed on the displaying module (the user presses a button on the operational panel, See Figure 2, Element 13, corresponding to the choice number of the special print job to print, See Figure 4, Element Z2; Col. 4, Line 30-33). Ban ('170) also discloses the controlling module (controller, See Figure 2, Element 11) includes a first discriminating module (a CPU, See Figure 2, Element 110), located within the controlling module, identifies the information received for a print job (it determines if it is an ordinary job or not, See Col. 3, Line 53-58). Then a second discriminating module (schedule management file, See Figure 3), which extracts the special print jobs (manual feed jobs) after the first discriminating module determines the print job includes a special print job and puts them onto an interrupt list (See Col. 3, Line 52-58). It prints all the special print job as requested by the user and is given priority over the ordinary job (See Col. 4, Line 6-8)

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when the job data is being controlled to the printing module. After the second discriminating module is implemented, a third one is issued to delete the special print job, once the printing module was completed successfully, from the interrupt list (See Col. 4, Line 14-18). And the controlling module (controller, See Figure 2, Element 11) (i) stores the print jobs including the special print jobs without immediately implementing the print jobs (the special jobs are loaded in an interrupt list until it is ready to print, See Figure 4; Col. 4, Line 21-23 while the ordinary jobs are put into a queue, See Figure 3, Element 131; Col. 3, Line 55-56), (ii) causes the displaying module to display the list of the print jobs including the special print jobs (since the special print jobs hold a higher priority over the regular print jobs, they are displayed on the LCD, See Figure 4; Col. 4, Line 7-11, even though the printer stores the ordinary jobs in a print queue also, See Figure 3), (iii) reads out the print jobs including the special print jobs (manual feed jobs) from the storing module and causes the printing module (print engine, See Figure 2, Element 12) to implement the print jobs in the situation where the user operates the inputting module (operational panel, See Figure 2, Element 13) to enter a command for implementing the print jobs including the special print jobs (the user presses a button on the operational panel corresponding to the choice number of the special print job to print, See Figure 4, Element Z2; Col. 4, Line 30-33), and (iv) causes, in the situation where printing is suspended during implementation of a print job (ordinary job that was temporarily suspended, See Col. 4, Line 11-13), the print job continues from the suspended printing (once the special print job (manual feed job) is completed, the operation returns to where the ordinary job is performed, See Col. 4, Line 14-18).

Ban ('170) does not disclose tabbed paper, which is rectangular printing paper having a tab on one side, to execute test printing for the tabbed paper, check the result, and adjust the print position if it did not print out correctly by having the user not delete the print job, as well as whenever the printing is suspended due to an occurrence of a jam during implementation of the print job to either resubmit or continue it from suspension.

Motamed ('300) discloses tab paper (which is rectangular printing paper having a tab on one side, See Figure 9 and 10) and setting up the printing of tabbed paper prior to outputting (using the "Insert Tabs", See Figure 12) so that after test printing the tabbed paper, in the situation where the user determines the tab positions are offset, the user can adjust them accordingly (the Tab Starting Position, See Figure 15, Element 408) so the print job for the tabbed paper does not need to be deleted by the user, just modified (See Col. 7, Line 13-20).

Kadota ('760) discloses a situation where the printing is suspended due to a paper jam (See Figure 4, Element S40), the print job is either resubmitted (if the error recovery function is set to ON) or continued from the suspended printing (if the error recovery function is set to OFF, See Col. 9, Line 26-46).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include tabbed paper and test print it, as disclosed by Motamed ('300), as well recover from a paper jam, such as the one disclosed within Kadota ('760), and incorporate it into the special paper of the manual feed jobs of Ban ('170) because tabbed paper is like other special paper and by properly setting up the

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tabbed paper, such as using a template in case the print position for the tab is not correct, a user can insert the tabbed paper into the manual feed tray and print out the job accordingly. Also, in the situation that a paper jam occurs, allowing a user the ability to select several outcomes for the print job enables a user to analyze it and control the proper implementation rather than being limited to what the printer determines.

Regarding claim 19, Ban ('170) discloses a feeding module (paper sensor of the manually fed paper where the special paper is inputted, See Figure 2, Element 14) that includes a sensor for detecting the presence / absence of paper (See Col. 3, Line 32-34).

Regarding claim 20, Ban ('170) discloses that each of the displaying module and inputting module is a touch-screen type of operational panel (See Col. 6, Line 23-29).

Regarding claim 21, Ban ('170) discloses that a message is sent to the terminal that has transmitted the print jobs (once the user submits a manual print job, a screen appears, See Figure 4, requiring the user to input the choice number corresponding to the desired manual feed job, See Col. 4, Line 22-34).

Regarding claims 7, 13 and 22-27, the rationale provided in the rejection of claims 1 and 19-21 is incorporated herein. In addition, the modules of claims 1 and 19-21 correspond to the means of claims 7 and 22-24 as well as the method of claims 13 and 25-27 and perform the steps disclosed herein.

Response to Arguments

Applicant argues that the prior art does not disclose a case where printing is suspended due to occurrence of a jam. Even though the prior art does not disclose that

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situation, by incorporating the teaching of Kadota, the combined prior art is able to meet the claimed limitations. For example, Kadota discloses a situation where the printing is suspended due to a paper jam. Once the paper jam has been corrected, the print job is either resubmitted, if the error recovery function is set to ON, or continued from the suspended printing, if the error recovery function is set to OFF (See Col. 9, Line 26-46). Thus by combining this teaching into the prior art of Motamed, which discloses tabbed paper, and Ban, it allows a user the ability to select the outcome for the print job and control the proper implementation rather than being limited to what the printer determines. As a result, Ban, in combination with Motamed and Kadota, are able to overcome the claimed limitations.

Based on these facts, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent M. Rudolph whose telephone number is (571) 272-8243. The examiner can normally be reached on Monday through Friday 8 A.M. - 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

9/20/06
VME

Vincent M. Rudolph
Examiner
Art Unit 2625



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